

Fwd: Garretttsville Village and Windham Village Petition Initiatives

Chad Thompson [tchad65@gmail.com]

Sent: Tuesday, August 28, 2018 7:58 AM**To:** Brown, Mark

Here is the email I received from the portage County BOE

Chad

----- Forwarded message -----

From: Board of Elections <BElections@portageco.com>

Date: Tue, Aug 21, 2018 at 3:08 PM

Subject: RE: Garretttsville Village and Windham Village Petition Initiatives

To: tchad65@gmail.com <tchad65@gmail.com>

Chad:

In *State ex rel. Sensible Norwood v. Hamilton County Board of Elections, 2016-Ohio-5919*, the Ohio Supreme Court said administrative actions are not subject to initiative. Reviewing the language in the proposals presented by the Village of Garretttsville and the Village of Windham, the \$0 fine and no license consequences are administrative in nature. The \$0 court costs is administrative in nature and is an impingement on the judicial function by a legislature. Accordingly, as the Garretttsville Village and Windham Village petitions deal with subject matter that is not subject to the initiative process, the Board of Elections, in its discretion, has chosen not to certify these issues to the ballot.

Terrie Nielsen

Portage Co. Board of Elections

[449 S. Meridian St. Room 101](#)

[Ravenna, OH 44266](#)

Phone 330-297-3511

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From: Chad Thompson <tchad65@gmail.com>

Sent: Monday, August 20, 2018 3:58 PM

To: Board of Elections <BElections@portageco.com>

Subject: Re: Garretttsville Village and Windham Village Petition Initiatives

Dear Ms Nielsen,

Thank you so much for the email regarding the Boards decision , if you would be so kind as to inform me the

reason officially that you have decided, as the board, to make this decision so I can take appropriate actions. Without a stated reason how could I ever know if it was appropriate, so I am requesting specific information as to what led you to make this decision.

Author and filer,

Chad Thompson

On Mon, Aug 20, 2018 at 11:18 AM Board of Elections <BElections@portageco.com> wrote:

Good morning:

This email will serve as notice that the Portage County Board of Elections did not certify the initiative petitions regarding marijuana penalties filed for Garrettsville Village and Windham Village to the November 6, 2018 General Election ballot.

Terrie Nielsen
Deputy Director

Portage Co. Board of Elections
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